



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

SEP 22 2005

Mr. Tony Ortego
Hazardous Materials Specialist
Boasso America Corporation
100 Intermodal Drive
Chalmette, LA 70043

Ref. No. 05-0166

Dear Mr. Ortego:

This is in response to your inquiry requesting clarification regarding the marking requirements for portable tanks containing residue as specified under § 172.302 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Your scenario is based on transport of a 5,000 gallon portable tank that was originally imported to a plant in the United States from overseas by vessel in accordance with the International Maritime and Dangerous Goods (IMDG) Code, as authorized under § 171.12(b).

Your letter does not contain sufficient information for us to respond to your request. Our efforts to contact you by telephone have been unsuccessful. Please contact me at 202-366-8553 or 1-800-467-4922 to discuss this matter.

Sincerely,

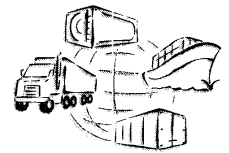
Hattie L. Mitchell, Chief
Regulatory Review and Reinvention
Office of Hazardous Materials Standards



050166

172-302 (b)

Satterthwaite
§ 172.302 (b)
Marking
05-0166



BOASSO
A M E R I C A

June 24, 2005

Mr. Edward T. Mazzullo
Director, Office of Hazardous Material Standards
U.S. DOT/PHMSA (PHH-10)
400 7th St. S.W.
Washington, D.C. 20590-0001

Dear Sir:

I am requesting an interpretation on the following issue.

Bulk liquid material is being imported via portable tanks into the United States. The consignee is listed as a plant inside of the U.S. From the plant the portable tank is returned to the port or moved to a terminal, also inside of the U.S., for cleaning.

The material is regulated by DOT and IMDG and is being transported under an IMDG formatted shipping paper. The markings on the tank, i.e., the proper shipping name, is on opposite sides of the tank, but in letters less than 2" in size.

Would the tank be allowed to be transported to another location, inside the United States, for cleaning, or for export shipment empty, with the proper shipping name size less than 2"?

This material is being actively transported so your prompt assistance would be appreciated.

Tony Ortego
Hazardous Material Specialist
Boasso America Corporation
100 Intermodal Dr.
Chalmette, La. 70043

Boasso America Corporation
100 Intermodal Drive
Chalmette, LA 70043

Tel: (504)279-3544
Fax: (504)277-0113
www.boassamerica.com

ISO 9002
Certificate Number: 31089